

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL PRICE,

ORDER

Plaintiff,

08-cv-3492 (NGG) (LB)

-against-

UNITED STATES DEPARTMENT OF
JUSTICE et al.,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

On August 11, 2008, Michael Price (“Price”), a prisoner in the custody of the Federal Bureau of Prisons (“BOP”), initiated this action, styled as a writ of mandamus, in response to his transfer to the Metropolitan Detention Center (“MDC”) and his questioning by federal officials in an investigation into possible misconduct by staff of the BOP. As clarified by Price’s counsel in a status conference held before me on December 4, 2008, Price requested the following relief in the writ: 1) appointment of counsel; 2) that he only be questioned regarding the investigation with his counsel present; and 3) that he be returned from the MDC to the institution to which he was designated. The court satisfied Price’s first request by appointing him counsel on September 22, 2008. At the status conference held on December 4, 2008, Price notified the court through his counsel that he had not been questioned outside her presence, and that he was satisfied that his second request had therefore been granted. On December 4, 2008, the court received a letter from Assistant United States Attorney Robert M. Radick stating that the writ that brought Price to the MDC had been satisfied and that Price would soon be transferred back to his designated institution.

As all the relief Price sought in this matter has been granted, this action is therefore dismissed as moot, without prejudice to refiling should circumstances so require.

SO ORDERED.

s/Nicholas G. Garaufis

Dated: Brooklyn, New York
December 16, 2008

NICHOLAS G. GARAUFIS
United States District Judge